

October 9, 2013

VIA ELECTRONIC CASE FILING

The Honorable James C. Francis
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Chevron Corp. v. Donziger, et al.*, Case No. 11 Civ. 0691(LAK)

Dear Judge Francis:

I write as counsel for Plaintiff Chevron Corporation (“Chevron”) regarding documents submitted to you earlier today by order of Judge Kaplan in the above-entitled action.

As explained in Chevron’s recently filed Motion by Order to Show Cause and its accompanying papers, Dkt. 1502–05, these documents have been provided by an individual unaffiliated with Chevron. Neither Chevron nor its trial counsel in this action has reviewed these documents or has knowledge of their contents. Instead, Chevron has retained separate counsel, Patton G. Lochridge, to take possession of the documents and, pursuant to Judge Kaplan’s order at the Rule 16 pretrial conference earlier today, to submit copies of the documents to Your Honor *in camera*. In addition, Mr. Lochridge has prepared an index of the documents, and provided this index to Your Honor. Neither Chevron nor its trial counsel in this action have reviewed this index or has knowledge of its contents.

Chevron respectfully requests that the Court review these documents and determine, insofar as possible, if they are relevant to this action. If the Court determines that these documents are relevant, Chevron requests that the Court order Mr. Lochridge to provide Chevron with the documents. Should the Court determine that these documents have no possible relevance to the case, Chevron requests that the Court order Mr. Lochridge to return the documents to Mr. Petito, or to dispose of them however the Court deems fit.

Should the Court be unable to determine the relevance of the documents, or if the Court finds that there may be a viable privilege or other protection associated with these documents, Chevron requests that the Court order Mr. Lochridge to serve the document index on the parties to this action and that the Court order briefing from any interested party by Friday, October 11, as the

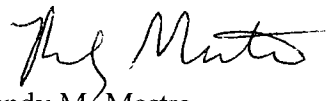
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case goes to trial on Tuesday, October 15. Chevron notes, however, that both Defendants and the Republic of Ecuador were served with Chevron's Motion by Order to Show Cause on the afternoon of Monday, October 7, 2013, but no party has asserted any privilege claim over these documents.

As always, we appreciate Your Honor's consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Randy Mastro", written in a cursive style.

Randy M. Mastro

cc: All Counsel of Record
Patton G. Lochridge, McGinnis Lochridge & Kilgore LLP